



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 16 2008

OFFICE OF
PREVENTION, PESTICIDES, AND
TOXIC SUBSTANCES

CERTIFIED MAIL 24D-103

Mr. Jim Kunstman
PBI/Gordon Corporation
1217 West 12TH Street, PO Box 014090
Kansas City, MO 64101-0090

Subject: Product Specific Data for 2, 4-D
Deficient Acute Toxicity data for EPA Reg. No. 2217-724

Dear Mr. Kunstman:

The acute toxicity data cited by PBI/Gordon to support the reregistration of EPA Reg. No. 2217-724 in response to the 2,4-D PDCI is unacceptable. PBI/Gordon continues to cite MRID 46750701 to satisfy the PDCI acute toxicity data requirements. MRID 46750701 is a reference to a set of data that was originally submitted to support the acute toxicity batching initiative submitted by the Industry Task Force II. This entire data set has already been reviewed by the Agency, and was the basis for the Agency's determination of the data gaps for each batch. In other words, the studies that were submitted under MRID 46750701 do not satisfy the data gaps identified in the batching initiative nor do they satisfy the PDCI requirements. If PBI/Gordon wishes to rebut the Agency's conclusions on any specific study contained within MRID 46750701, PBI/Gordon must identify the study-specific MRID that it believes satisfies the guideline requirement.

Data cited to support Acute Toxicity Guideline (870.2400) is not acceptable. PBI/Gordon must submit a new study for Acute Toxicity Guideline (870.2400). Instructions in the batching table stipulate that each product must conduct there own primary eye with fertilizer containing highest level of nitrogen (See the Review dated 9-09-08). Submit GL (870.2400) conducted on the subject product within 90 days.

The Agency is providing you with 90 days to submit a new acute toxicity study for the above deficiency. Failure to submit this study within the required time frame may result in a Notice of Intent to Suspend affecting the registration of your 2, 4-D product. A copy of the Agency's review is enclosed for your records. If you have any questions, please contact Julia Stokes at (703) 347-8966.

Sincerely,

Peter Caulkins, PhD, Acting Chief
Product Reregistraton Branch
Special Review and Reregistration Division

Enclosure

CONCURENCES							
7508P	7508P						
Stokes	PPC						
10/15/08	10/16						